SEC. 3. REPORTING AND NOTIFICATION REQUIREMENTS.

(a) DECLASSIFIED LIST.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall publish a declassified list of nations, organizations, or persons the United States is using force against or authorized to use force against pursuant to section 2(a) of the Authorization for Use of Military Force (Public Law 107–40; 115 Stat. 224; 50 U.S.C. 1541 note) (commonly known as the ''2001 AUMF'').

(b) RELEASE OF CERTAIN EXECUTIVE BRANCH LEGAL OPINIONS.—The head of each executive branch agency shall make available to the public, with minimal redactions, each legal opinion of the agency relied upon for the use of force in United States counterterrorism operations.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall make available to each Member of Congress a report on the legal and policy frameworks for the use of military force by, and related security operations of, the United States that includes—

(A) a full list of security assistance programs, including programs under—

(i) section 333 of title 10, United States Code;

(ii) section 127(e) of title 10, United States Code; and

(iii) section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639); and

(B) the legal, factual, and policy justifications for any modification to such legal and policy frameworks during the period beginning on the date of the enactment of this Act and ending on the date on which the report is submitted.

(2) FORM.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) NOTIFICATION.—Not later than 30 days after the date on which a modification is made to the legal and policy frameworks for the use of military force by, and related security operations of, the United States, the President shall notify Congress of such modification and provide the legal, factual, and policy justification for the modification.

SA 24. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESCISSIONS.

There is rescinded any unobligated balance greater than $150,000,000 (as of January 31, 2023) made available under the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4).

SA 25. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. REQUIREMENT FOR EXPRESSIONS OF INTEREST UNDER THE MINERAL LEASING ACT.

Section 17(q) of the Mineral Leasing Act (30 U.S.C. 226(q)) is amended—

(1) by striking ''Secretary'' each place it appears and inserting ''Secretary of the Interior''; and

(2) by adding at the end the following:

''(3) REQUIREMENT.—Notwithstanding any other provision of this section, the Secretary of the Interior shall offer for lease under this section under the applicable resource management plan not less than 80 percent of available parcels of land nominated for oil and gas development in an expression of interest submitted in accordance with the procedures established under paragraph (1).''.

SA 26. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPARTMENT OF DEFENSE SPECTRUM AUDIT.

(a) AUDIT AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information and the Secretary of Defense shall jointly—

(1) conduct an audit of the electromagnetic spectrum that is assigned or otherwise allocated to the Department of Defense as of the date of the audit; and

(2) submit to Congress, and make available to each Member of Congress upon request, a report containing the results of the audit conducted under paragraph (1).

(b) CONTENTS OF REPORT.—The Assistant Secretary of Commerce for Communications and Information and the Secretary of Defense shall include in the report submitted under subsection (a)(2), with respect to the electromagnetic spectrum that is assigned or otherwise allocated to the Department of Defense as of the date of the audit—

(1) each particular band of spectrum being used by the Department of Defense;

(2) a description of each purpose for which a particular band described in paragraph (1) is being used, and how much of the band is being used for that purpose;

(3) the geographic area in which a particular band described in paragraph (1) is being used;

(4) whether a particular band described in paragraph (1) is used exclusively by the Department of Defense or shared with a non-Federal entity; and

(5) any portion of the spectrum that is not being used by the Department of Defense.

(c) FORM OF REPORT.—The report required under subsection (a)(2) shall be submitted in unclassified form but may include a classified annex.

SA 27. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXEMPTIONS FROM FDA REQUIREMENTS WITH RESPECT TO INFANT FORMULA.

(a) WAIVERS.—

(1) IN GENERAL.—In the case that an infant formula shortage is established through a joint resolution, with respect to any infant formula imported into the United States during the 90-day period beginning on the date specified in such joint resolution—

(A) the requirements under section 412 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350a) shall not apply;

(B) such infant formula may be manufactured, processed, packed, or held in a facility in a country described in subsection (d) that is not registered under section 415 of such Act (21 U.S.C. 350d);

(C) the requirements under parts 106 and 107 of title 21, Code of Federal Regulations, shall not apply; and

(D) such infant formula shall not be considered to be misbranded or adulterated solely on the basis of not being in compliance with the requirements of such section 412 or 415, or such part 106 or 107.

(2) RENEWAL OF WAIVER PERIOD.—A waiver of requirements under paragraph (1) shall automatically renew for additional 90-day periods until such infant formula shortage is terminated through a subsequent joint resolution.

(b) NOTIFICATION REQUIREMENT.—

(1) IN GENERAL.—A person who introduces or delivers for introduction into interstate commerce an infant formula pursuant to subsection (a) shall notify the Secretary if such person has knowledge which reasonably supports the conclusion that such infant formula—

(A) may not provide the nutrients required by section 412(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350a(i)); or

(B) is a product that meets any criterion under section 402(a) of such Act (21 U.S.C. 342(a)), or which otherwise may be unsafe for infant consumption.

(2) KNOWLEDGE DEFINED.—For purposes of paragraph (1), the term ''knowledge'' as applied to a person subject to such subparagraph means—

(A) the actual knowledge that the person had; or

(B) the knowledge which a reasonable person would have had under like circumstances or which would have been obtained upon the exercise of due care.

(c) RECALL AUTHORITY.—If the Secretary determines that infant formula introduced or delivered for introduction into interstate commerce pursuant to subsection (a) is a product described in subsection (b)(1)(B), the manufacturer or importer shall immediately take all actions necessary to recall shipments of such infant formula from all wholesale and retail establishments, consistent with recall regulations and guidelines issued by the Secretary.

(d) COUNTRIES DESCRIBED.—A country described in this subsection is any of the following:

(1) Australia.
(2) Israel.
(3) Japan.
(4) New Zealand.
(5) Switzerland.
(6) South Africa.
(7) The United Kingdom.
(8) A member country of the European Union.
(9) A member country of the European Economic Area.

(e) DEFINITION.—In this section, the term ''infant formula'' has the meaning given that term in section 201(z) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(z)).

SA 28. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITING MEDICARE PAYMENTS TO AND ENROLLMENT OF PROVIDERS WHO FURNISH GENDER-TRANSITION PROCEDURES.

Section 1862 of the Social Security Act (42 U.S.C. 1395y) is amended by adding at the end the following:

''(p) PROHIBITING PAYMENTS TO AND ENROLLMENT OF PROVIDERS WHO FURNISH GENDER-TRANSITION PROCEDURES.—

''(1) IN GENERAL.—Effective on the date of the enactment of this subsection—

''(A) no payment may be made under this title with respect to any item or service that is furnished by a provider of services or supplier who furnishes a gender-transition procedure; and

''(B) a provider of services or supplier who furnishes a gender-transition procedure may not enroll or reenroll in the program under this title under section 1866(j).

''(2) DEFINITIONS.—In this subsection:

''(A) BIOLOGICAL SEX.—The term 'biological sex' means the genetic classification of an individual as male or female, as reflected in the organization of the body of such individual for a reproductive role or capacity, such as through sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth, without regard to the subjective sense of identity of the individual.

''(B) GENDER-TRANSITION PROCEDURE.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'gender-transition procedure' means—

''(I) the prescription or administration of puberty-blocking drugs for the purpose of changing the body of an individual so that it conforms to the subjective sense of identity of the individual, in the case such identity is at odds with the individual's biological sex;

''(II) the prescription or administration of cross-sex hormones for the purpose of changing the body of an individual so that it conforms to the subjective sense of identity of the individual, in the case such identity is at odds with the individual's biological sex; or

''(III) a surgery to change the body of an individual so that it conforms to the subjective sense of identity of the individual, in the case such identity is at odds with the individual's biological sex.

''(ii) EXCEPTION.—The term 'gender-transition procedure' does not include—

''(I) an intervention described in clause (i) that is performed on—

''(aa) an individual with biological sex characteristics that are inherently ambiguous, such as those born with 46 XX chromosomes with virilization, 46 XY chromosomes with undervirilization, or having both ovarian and testicular tissue; or

''(bb) an individual with respect to whom a physician has determined through genetic or biochemical testing that the individual does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action, for a biological male or biological female;

''(II) the treatment of any infection, injury, disease, or disorder that has been caused or exacerbated by the performance of an intervention described in clause (i) without regard to whether the intervention was performed in accordance with State or Federal law; or

''(III) any procedure undertaken because the individual suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the individual in imminent danger of death or impairment of major bodily function unless the procedure is performed.''.

SA 29. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. ASSESSMENT OF EXISTING LARGE POWER TRANSFORMERS.

The Secretary of Energy, in consultation with the Secretary of Defense, shall conduct an assessment of existing large power transformers in the United States, identify Government resources that could be leveraged to enhance the domestic manufacturing of large power transformers, and identify any authorities needed to provide such assistance.

SA 30. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

Amend section 2 to read as follows:

SEC. 2. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

(a) REPEAL.—The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed 30 days after the President certifies to Congress that Iraq, Israel, and other United States partners and allies in the region have been meaningfully consulted on the ramifications of repeal.

(b) DESCRIPTION OF RISKS.—The certification submitted under subsection (a) shall include a detailed description of how Iraq, Israel, and other United States partners and allies in the region perceive the risks and benefits of a repeal.

SA 31. Mr. BUDD submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. SHORT TITLE.

Sections 3 through 7 of this Act may be cited as the ''Build the Wall Now Act''.

SEC. 4. RESUME CONSTRUCTION OF BARRIERS AND ROADS ALONG UNITED STATES AND MEXICO BORDER.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(2) PHYSICAL BARRIERS.—The term ''physical barriers'' has the meaning given such term in section 102(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as added by section 5(5) of this Act.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(4) TACTICAL INFRASTRUCTURE; TECHNOLOGY.—The terms ''tactical infrastructure'' and ''technology'' have the meanings given such terms in section 102(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as added by section 5(5) of this Act.

(b) IN GENERAL.—

(1) IMMEDIATE RESUMPTION OF BORDER BARRIER CONSTRUCTION.—Not later than 1 day after the date of the enactment of this Act, the Secretary shall resume all projects relating to the construction of physical barriers, tactical infrastructure, and technology along the international border between the United States and Mexico that were underway, or being planned for, prior to January 20, 2021.

(2) NO CANCELLATIONS.—The Secretary may not cancel any contract for activities related to the construction of the border barrier system that was entered into on or before January 20, 2021.

(3) USE OF FUNDS.—To carry out this section, the Secretary shall expend all funds that were appropriated or explicitly obligated for the construction of the border barrier system on or after October 1, 2016.

(c) UPHOLD NEGOTIATED AGREEMENTS.—The Secretary shall ensure that all agreements entered into before January 20, 2021, that were executed in writing between the Department and any State, local, or Tribal government, private citizen, or other stakeholder are honored by the Department relating to current and future construction of the border barrier system in accordance with such agreements.

(d) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, any amount appropriated or otherwise made available during fiscal year 2018, 2019, 2020, or 2021 for any project relating to the construction of physical barriers, tactical infrastructure, and technology along the southern border shall remain available until expended.

(e) USE OF FUNDS.—Any amounts appropriated or otherwise made available for fiscal year 2021 that remain available pursuant to subsection (d) may only be used for barriers, technology, or roads that—

(1) use—

(A) operationally effective designs deployed as of the date of enactment of the Consolidated Appropriations Act, 2017 (Public Law 115–31), such as currently deployed steel bollard designs, that prioritize agent safety; or

(B) operationally effective adaptations of such designs that help mitigate community or environmental impacts of barrier system construction, including adaptations based on consultation with jurisdictions within which barrier system will be constructed; and

(2) are constructed in the highest priority locations as identified in the Border Security Improvement Plan.

SEC. 5. IMPROVING THE REQUIREMENTS FOR BARRIERS ALONG THE SOUTHERN BORDER.

(a) IN GENERAL.—Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1103 note) is amended—

(1) in subsection (a), by striking ''to install'' and all that follows and inserting ''(including the removal of obstacles to detection of illegal entrants) to design, test, construct, install, deploy, integrate, and operate physical barriers, tactical infrastructure, and technology in the vicinity of the United States border to achieve situational awareness and operational control of the border and deter, impede, and detect illegal activity in high traffic areas.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''FENCING AND ROAD IMPROVEMENTS'' and inserting ''PHYSICAL BARRIERS'';

(B) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''subsection (a)'' and inserting ''this section''; and

(II) by striking ''roads, lighting, cameras, and sensors to gain'' and inserting ''tactical infrastructure, and technology to achieve situational awareness and'';

(ii) by amending subparagraph (B) to read as follows:

''(B) PHYSICAL BARRIERS AND TACTICAL INFRASTRUCTURE.—The Secretary, in carrying out this section, shall deploy along the United States border the most practical and effective physical barriers and tactical infrastructure available for achieving situational awareness and operational control of the border.'';

(iii) in subparagraph (C)—

(I) in clause (i)—

(aa) by striking ''the Secretary of the Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and'' and inserting ''appropriate Federal agency partners, appropriate representatives of Federal,